

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRIAN DEMPSEY, on behalf of himself  
and all other similarly situated individuals,

Plaintiff,

vs.

SMITH'S FOOD & DRUG CENTERS,  
INC., and DOES 1 through 50, inclusive,

Defendant(s).

Case No.: 3:24-cv-00269-ART-CSD

**ORDER GRANTING**

**STIPULATION TO EXTEND TIME  
FOR PLAINTIFF TO FILE  
OPPOSITION TO DEFENDANT'S  
MOTION TO STAY**

**(First Request)**

Pursuant to Local Rules IA 6-1 and IA 6-2, Plaintiff BRIAN DEMPSEY ("Plaintiff") and Defendant SMITH'S FOOD & DRUG CENTERS, INC. ("Defendant" or "Smith's") (collectively, the "Parties"), by and through their respective counsel of record, hereby stipulate and agree to extend the time for Plaintiff to respond to Defendant's Motion to Stay for two weeks from Wednesday, October 2, 2024 to Wednesday, October 16, 2024.

1 Defendant filed its motion to stay on September 18, 2024 (ECF No. 19.) On September  
2 19, 2024, the Court vacated the Case Management Conference scheduled for September 25, 2024.  
3 (ECF No. 20.) Plaintiff's response to Defendant's motion to stay is currently due October 2, 2024.

4 Plaintiff and Defendants consent to this request. This is the first request for an extension  
5 of the time for this deadline. The Parties respectfully submit there is good cause for this extension  
6 and the requested extension is not for the purpose of delay.

7 Dated: September 25, 2024

Dated: September 25, 2024

8 **THIERMAN BUCK**

**COZEN O'CONNOR**

9 /s/Leah L. Jones

/s/Aaron Holt

10 Joshua D. Buck, Nev. Bar No. 12187  
11 Leah L. Jones, Nev. Bar No. 13161  
12 325 W. Liberty St.  
Reno, Nevada 89501

Jonathan A. Rich, Nev. Bar No. 15312  
1180 North Town Center Drive, Suite 260  
Las Vegas, Nevada 89144


13 *Attorneys for Plaintiff*  
14 *and the Putative Classes*

Jacob M. Rubinstein, *Admitted Pro Hac Vice*  
4875 East Pearl Circle, Suite 101  
Boulder, Colorado 80301

Aaron Holt, *Admitted Pro Hac Vice*  
1221 McKinney Street, Suite 2900  
Houston, Texas 77010

*Attorneys for Defendant Smith's Food &  
Drug Center, Inc.*

15  
16  
17  
18  
19  
20 **IT IS SO ORDERED.**

21   
22 \_\_\_\_\_  
23 ANNE R. TRAUM  
24 UNITED STATES DISTRICT JUDGE

25 Dated: September 26, 2024  
26  
27  
28